
SENATE BILL No. 204

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-110; IC 9-19-1; IC 9-21-0.5; IC 9-26-2.

Synopsis: Production of driver's license. Requires a law enforcement officer to perform certain duties with respect to moving traffic offenses and motor vehicle accident investigations, including impounding a motor vehicle for the operator's failure to produce a driver's license. Makes conforming amendments.

Effective: July 1, 2008.

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January 8, 2008, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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Introduced

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

SENATE BILL No. 204

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-110 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 110. "Moving traffic
3 offense", for purposes of **IC 9-19-1-5.5**, **IC 9-21-0.5-1**, IC 9-25-9-1,
4 and IC 9-30-3-14, has the meaning set forth in IC 9-30-3-14(a).

5 SECTION 2. IC 9-19-1-5.5 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2008]: **Sec. 5.5. (a) A person who is stopped by a law enforcement**
8 **officer for a moving traffic offense in violation of this article shall**
9 **produce for the law enforcement officer the person's driver's**
10 **license.**

11 **(b) If:**

12 **(1) a person does not comply with subsection (a); and**

13 **(2) the person's driver's license is not recorded in the Indiana**
14 **data and communication system managed under IC 10-13-3;**
15 **the law enforcement officer shall immediately impound the motor**
16 **vehicle unless the law enforcement officer determines that**
17 **immediately impounding the motor vehicle is dangerous,**

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1 impracticable, or otherwise inadvisable.

2 (c) If the owner of the motor vehicle impounded under
3 subsection (b) does not:

4 (1) produce for the bureau the driver's license of the person
5 described in subsection (a) or of the owner; and

6 (2) pay any costs related to the impoundment;

7 within twenty (20) days after the motor vehicle is impounded, the
8 motor vehicle is considered an abandoned vehicle subject to
9 IC 9-22-1.

10 SECTION 3. IC 9-19-1-6 IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2008]: Sec. 6. (a) This section does not apply
12 to the following:

13 (1) A person who owns or operates a vehicle or combination of
14 vehicles that:

15 ~~(1)~~ (A) contains parts and accessories; and

16 ~~(2)~~ (B) is equipped;

17 as required under regulations of the United States Department of
18 Transportation.

19 (2) A law enforcement officer acting in accordance with the
20 officer's responsibilities under section 5.5 of this chapter.

21 (b) A person who violates this chapter commits a Class C infraction.

22 SECTION 4. IC 9-21-0.5 IS ADDED TO THE INDIANA CODE
23 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2008]:

25 **Chapter 0.5. Requirement to Show Driver's License**

26 **Sec. 1. A person who is stopped by a law enforcement officer for**
27 **a moving traffic offense in violation of:**

28 (1) IC 9-21-5;

29 (2) IC 9-21-6;

30 (3) IC 9-21-7;

31 (4) IC 9-21-8;

32 (5) IC 9-21-9;

33 (6) IC 9-21-10;

34 (7) IC 9-21-12;

35 (8) IC 9-21-13; or

36 (9) IC 9-21-14;

37 must produce for the law enforcement officer the person's driver's
38 license.

39 **Sec. 2. If:**

40 (1) a person does not comply with section 1 of this chapter;
41 and

42 (2) the person's driver's license is not recorded in the Indiana

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1 data and communication system managed under IC 10-13-3;
 2 the law enforcement officer shall immediately impound the motor
 3 vehicle unless the law enforcement officer determines that
 4 immediately impounding the motor vehicle is dangerous,
 5 impracticable, or otherwise inadvisable.

6 Sec. 3. If the owner of the motor vehicle impounded under
 7 section 2 of this chapter does not:

8 (1) produce for the bureau the driver's license of the person
 9 described in section 1 of this chapter or of the owner; and

10 (2) pay any costs related to the impoundment;
 11 within twenty (20) days after the motor vehicle is impounded, the
 12 motor vehicle is considered an abandoned vehicle subject to
 13 IC 9-22-1.

14 SECTION 5. IC 9-26-2-1.5 IS ADDED TO THE INDIANA CODE
 15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 16 1, 2008]: Sec. 1.5. (a) A law enforcement officer performing an
 17 investigation under section 1 of this chapter shall request from the
 18 operator of each motor vehicle involved in the accident the
 19 operator's driver's license, which the operator must produce.

20 (b) If:

21 (1) an operator does not comply with subsection (a); and

22 (2) the operator's driver's license is not recorded in the
 23 Indiana data and communication system managed under
 24 IC 10-13-3;

25 the law enforcement officer shall immediately impound the motor
 26 vehicle unless the law enforcement officer determines that
 27 immediately impounding the motor vehicle is dangerous,
 28 impracticable, or otherwise inadvisable.

29 (c) If the owner of the motor vehicle impounded under
 30 subsection (b) does not:

31 (1) produce for the bureau the driver's license of the operator
 32 described in subsection (a) or of the owner; and

33 (2) pay any costs related to the impoundment;
 34 within twenty (20) days after the motor vehicle is impounded, the
 35 motor vehicle is considered an abandoned vehicle subject to
 36 IC 9-22-1.

37 SECTION 6. IC 9-26-2-2 IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2008]: Sec. 2. A law enforcement officer shall
 39 forward a written report of each accident investigated under section 1
 40 of this chapter to the state police department within twenty-four (24)
 41 hours after completing the investigation. The report must contain, if
 42 possible, the following information:

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- 1 (1) The:
- 2 (A) name and address of the owner and operator; **and**
- 3 (B) **driver's license number of the operator;**
- 4 of each vehicle involved in the accident.
- 5 (2) The license number and description of each vehicle involved
- 6 in the accident.
- 7 (3) The time and place the accident occurred.
- 8 (4) The name and address of each person injured or killed in the
- 9 accident.
- 10 (5) The name and address of each witness to the accident.

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